

REMARKS/ARGUMENTS

These remarks are made in response to the Office Action of October 23, 2006 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. However, the Examiner is expressly authorized to charge any deficiencies and credit any overpayments to Deposit Account No. 50-0951.

Claims 1, 3-11, 17, 19-27 and 30 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,122,664 to Boukobza, *et al.* (hereinafter Boukobza). Claims 2 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Boukobza, in view of U.S. Published Patent Application No. 2002/0087949 to Golender, *et al.* (hereinafter Golender). Claims 12-16 and 28-29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Boukobza, in view of U.S. Patent 6,681,243 to Putzolu, *et al.* (hereinafter Putzolu).

Applicants have amended independent Claims 1, 14, 17, and 30 to further emphasize certain aspects of the invention. Applicants also have amended dependent Claims 2, 7, 10, 12, 13, 23, and 26 to emphasize certain additional aspects of the invention and to maintain consistency among all the claims. The amendments, as discussed herein, are fully supported throughout the Specification. No new matter is introduced by any of the amendments presented.

Aspects Of Applicants' Invention

At this juncture, it may be useful to reiterate certain aspects of Applicants' invention. One embodiment of the invention, typified by amended Claim 1, is a method for supporting a user application.

The method can include providing a customer service application that is configured to register a plurality of hosts for performing host-based operations and that is further configured to convey control signals for synchronizing a plurality of ghost agents

for performing customer service operations on one of the plurality of hosts. (See, e.g., Specification, paragraph [0025], lines 6-8; and paragraph [0048], lines 6-11.) Moreover, according to the particular method, the customer service application can include a service interface that is configured to prevent unauthorized access to the customer service application. (See, e.g., Specification, paragraph [0025], lines 8-15.)

The method additionally can include receiving a problem indication relating to the application and identifying at least one of the plurality of hosts within a grid environment. The method further can include associating a ghost agent with the at least one identified host. More particularly, according to the particular method, the ghost agent used can be configured to include at least a test engine, a ghost log, and/or a controller, wherein the test engine loads test routines into the ghost agent, executes the test routines in response to received test commands, and analyzes within the ghost agent results of the executed test routines.

The ghost log can be utilized, according to the method, to store log data internally within the ghost agent. Moreover, at periodic or irregular intervals, the ghost agent can deposit the log data to a local location, after which the ghost agent clears the ghost log. (See, e.g., Specification, paragraphs [0059] and [0060].) Additionally, according to the method, the controller can be used to accept control signals from the customer service application and to control at least one of a life-span of the ghost agent and resources used by the ghost agent.

The method also can include retrieving log data stored at the local location and conveying the retrieved log data to a ghost log repository using at least one data-reaping agent. (See, e.g., Specification, paragraph [0060], lines 4-7.) Additionally, the method can include replicating actions of the at least one identified host for use by the ghost agent, and recording data relating to the replicated actions. The method further can include responding to the problem based at least in part upon the recorded data.

The Claims Define Over The Prior Art

As noted already, independent Claims 1, 14, 17, and 30 were each rejected as being anticipated by Boukobza. Applicants respectfully submit, however, that Boukobza does not expressly or inherently teach every feature recited in Claims 1, 14, 17, and 30, as amended.

Boukobza is directed to a process for monitoring a plurality of "object types" at a plurality of nodes. (See, e.g., Col. 4, line 36 – Col. 5, line 17; see also Abstract.) Boukobza provides a management node for monitoring object types at other nodes, but the management node is not comparable to Applicants' customer service application. Boukobza's management node is described in the reference primarily in terms of how it is used:

"[A] user of the management node describes the objects to be monitored [systems (UNIX, etc.), applications (Tuxedo, etc.), instances (Oracle, etc.), server (Informix, etc.), etc.] and specifies modifications relative to the default choice of the specific modules (for example, modification of the measurement period of a parameter, suppression of a parameter, addition of a parameter or a condition). For each new parameter to be measured, he describes the measurement command, indicates whether or not he desires to have the measurement displayed (in the form of a curve), specifies the conditions which will trigger an action (a sequence of operations) The action can consist of displaying the "down" status of an object (an Oracle instance, for example) using a function supplied by the product or of performing a test for correlation with a piece of system information (cpu

utilization rate, for example) or Tuxedo information or information defined by the user." (Col. 5, line 63 – Col. 6, line 14.)

Applicants respectfully note, however, that none of the described functions are similar to those recited in amended Claims 1, 14, 17, and 30. For example, Boukobza nowhere provides a node or application that registers a plurality of hosts for performing host-based operations, as expressly recited in the amended claims. Boukobza's management node, moreover, provides no mechanism to prevent unauthorized access to the management node, as is done with respect to Applicants' customer service application. This feature, also expressly recited in amended Claims 1, 14, 17, and 30, is not contemplated by Boukobza.

More fundamentally, Boukobza does not provide control signals for synchronizing a plurality of ghost agents such that the ghost agents, when synchronized, perform customer service operations on a particular one of the plurality of hosts. Indeed, as explicitly described, Boukobza utilizes autonomous agents that are each allocated to a single, specific module at an individual node. (See, e.g., Col. 4, line 63 – Col. 5, line 2; and Col. 5, lines 13-17.) Nowhere does Boukobza expressly or inherently teach synchronizing a plurality of ghost agents, let alone synchronizing multiple ghost agents to perform service operations relative to a single host, as explicitly recited in amended Claims 1, 14, 17, and 30.

Boukobza further fails to teach a ghost log associated that is utilized by a ghost agent in the manner provided by Applicants' invention. One aspect of Applicants' invention is a ghost agent that includes a ghost log that stores log data internally. Moreover, the ghost agent, according to Applicants' invention, at periodic or at irregular intervals, deposits the log data to a local location, after which the ghost agent clears the ghost log, as expressly recited in amended Claims 1, 14, 17, and 30.

As noted at page 5 of the Office Action, Boukobza's Figure 1 illustrates an autonomous agent that includes an internally-stored log file. As explicitly described by Boukobza, however, these files are "rapidly" fed back to the management node from each of the respective monitored nodes. (See Col. 2, lines 39-46; see also Col. 6, lines 22-41.) Boukobza nowhere teaches the storing of log data at a local location, nor does Boukobza provide for transmitting log data to a local location and then clearing the log file either periodically or intermittently, as recited in amended Claims 1, 14, 17, and 30.

Moreover, Boukobza does not expressly or inherently teach providing one or more data-reaping agents to retrieve log data stored at the local location and convey the retrieved log data to a ghost log repository. Indeed, because Boukobza rapidly feeds such information back to the management node rather than periodically or intermittently storing it at a local information, Boukobza has no need to effect the retrieval or conveyance effected with Applicants' invention. Specifically, Boukobza does not provide one or more data-reaping agents to retrieve log data stored at the local location and convey the retrieved log data to a ghost log repository, as recited in amended Claims 1, 14, 17, and 30.

Accordingly, Boukobza does not expressly or inherently teach every feature recited in amended Claims 1, 14, 17, and 30. Applicants, therefore, respectfully submit that Claims 1, 14, 17, and 30 define over the prior art. Applicants further respectfully submit that whereas the remaining claims each depend from one of the amended claims while reciting additional features, each of the dependent claims likewise defines over the prior art.

CONCLUSION

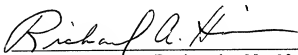
Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the

undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

AKERMAN SENTERFITT

Date: **December 26, 2006**

A handwritten signature in cursive script, appearing to read "Richard A. Hinson", is written over a horizontal line.

Gregory A. Nelson, Registration No. 30,577
Richard A. Hinson, Registration No. 47,652
Customer No. 40987
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-5000